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3 **UNITED STATES DISTRICT COURT**
4 **DISTRICT OF NEVADA**

5 * * *

6 LAUSTEVEION JOHNSON,
7 Plaintiff,

8 v.

9 RASHONDA SMITH, ET AL.,
10 Defendants.

Case No. 2:17-cv-00156-GMN-DJA

ORDER

11 This matter is before the Court on Plaintiff's Motion to Vacate Settlement Conference
12 (ECF No. 53), filed on April 27, 2020. Defendants' Response was due by May 11, 2020. To
13 date, no response was filed.

14 Plaintiff acknowledges that the Settlement Conference, previously set for April 2, 2020
15 was vacated due to the COVID-19 pandemic to be reset for a later date. However, he requests
16 that the Settlement Conference be permanently vacated as he wishes for a ruling to be issued on
17 the pending motions for summary judgment first. He represents that the parties have discussed
18 settlement and are unable to reach one until the dispositive motions are ruled on first. Further,
19 Plaintiff does not wish to be transferred as he wishes to earn good time credit toward his sentence.

20 Defendants' failure to file points and authorities in response to the motion "constitutes a
21 consent to the granting of the motion." LR 7-2(d). Moreover, the Court finds good cause to grant
22 the request so the parties can determine what, if any, of their case remains after the decision on
23 the motions for summary judgment.

24 Accordingly,

25 IT IS THEREFORE ORDERED that Plaintiff's Motion to Vacate Settlement Conference
26 (ECF No. 53) is **granted**.
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1 IT IS FURTHER ORDERED that the parties may jointly stipulate to request a settlement
2 conference after a decision is issued on the pending dispositive motions (ECF Nos. 34-35) to the
3 extent that they believe it would be productive.

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5 DATED: May 13, 2020.

A handwritten signature in blue ink, appearing to read 'D. Albregts', is written over a horizontal line.

DANIEL J. ALBREGTS
UNITED STATES MAGISTRATE JUDGE